



PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (October 2017)
(Implements RCW 34.05.310)**

Do **NOT** use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: February 10, 2026

TIME: 8:16 AM

WSR 26-05-023

Agency: Department of Health

Subject of possible rule making: Administration of anesthetic agents for dental procedures by a dental therapist. The Department of Health (department) is considering establishing a new section in chapter 246-819 WAC to implement general requirements for dental therapists to administer sedation. The department may consider amendments to other relevant licensure requirement rule sections in chapter 246-819 WAC.

Statutes authorizing the agency to adopt rules on this subject: RCW 18.265.800 and 43.70.280

Reasons why rules on this subject may be needed and what they might accomplish: Chapter 18.265 RCW establishes the new profession of dental therapy and authorizes the department to adopt rules in order to implement this statute. Dental therapists are mid-level providers who work in collaboration with a licensed dentist. The rules for licensed dentists who administer anesthetic agents are found in chapter 246-817 WAC. While developing the dental therapy rules it was communicated by an interested party that a similar section on administering anesthetic agents would need to be added to the dental therapy rules to keep the requirements consistent with the dental anesthetic rule. It was agreed that this rulemaking would begin after chapter 246-819 WAC was officially adopted, which occurred on October 31, 2025.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: The department will work with the Washington State Health Care Authority (HCA) to ensure rulemaking does not conflict with current HCA billing requirements. The department will coordinate rulemaking with impacted agencies, interested parties, and partners when appropriate.

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) Collaborative rulemaking

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

Name: Kitty Einert, Program Manager	(If necessary) Name:
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Web site: www.doh.wa.gov	Web site:
Other:	Other:

Additional comments: Interested parties can participate in the drafting of the proposed rules. The department will be conducting rules workshops with interested parties and subject matter experts. The department will use existing GovDelivery lists and other known contact information to inform interested parties of opportunities to provide input on proposed rule language. To find out more information about our rulemaking, visit doh.wa.gov. To subscribe to GovDelivery, please visit doh.wa.gov and select the button titled "Sign up for Updates From DOH" button at the bottom of

the page. After signing in, select "Health Systems Quality Assurance" and "Health Professions" and "Dental List", "Dental Therapist" and "Dental Hygiene Examining Committee." You may also check the box next to one or more of the other professions listed to received information related to that specific profession.

Date: February 9, 2026

Name: Kristin Peterson, JD for Dennis E. Worsham

Title: Chief of Policy for Secretary of Health

Signature:

A handwritten signature in cursive script, appearing to read "Kristin Peterson".